

REMARKS

Claims 1-23 were pending in the application. Claims 1-23 are amended. Claims 24-27 are added. Claims 1-27 are now pending in the application. Claims 1 and 15 are the independent claims. Reconsideration of the amended application is respectfully requested.

The Examiner rejected claims 1-4, 7-17, and 23 under 35 USC 102(e) as being anticipated by Papierniak et al. The Examiner stated that Papierniak et al. disclose a tracker for tracking Internet use on successful logon (column 13, lines 1-10), with a time logging function (column 16, lines 66-67) and report generation (column 9, line 5 through column 10, line 60).

In general, the system disclosed by Papierniak et al. tracks ISP client activity, and builds datasets based on the Internet client activity in an e-commerce context, to be used by the ISP and e-commerce providers to better serve their respective clients. In contrast, the claimed invention provides Internet usage information, such as time spent by a user accessing the Internet for purposes related to user client matters. This information is used by the user to bill the user clients, and to determine the effectiveness of the user's access time.

Independent claim 1 recites a professional time tracking and reporting system for tracking Internet access time by users and for generating reports based on the access time. The system is provided in an Internet use environment, wherein the Internet is accessed by one or more users for purposes related to one or more user client matters. The system includes a tracker, a processor, and a report generator. The tracker monitors each user's

Internet access time during an Internet session, and is activated by a successful logon by an active user. The processor processes each user's Internet access time. The report generator generates one or more reports based on the processed Internet access time. The system functions independently of the Internet service provider that provides the Internet access to the user.

In contrast, Papierniak et al. do not disclose a tracker that monitors each user's Internet access time during an Internet session, and is activated by a successful logon by an active user. The examiner cited the passage at column 13, lines 1-10 as disclosing this feature. However, this passage discloses that a URL submitted by a user for accessing a web site can have appended to it search parameters that can be interpreted by the system as a request to initiate a session in which data related to the parameters will be gathered. Thus, this is not a logon, as recited in claim 1; rather, it is a search request. Further, submitting the URL does not activate monitoring of the user's access time; rather, the response is to gather information from a number of data sources, such as web pages, databases, and spreadsheets, all stored at a number of different sites. See column 13, lines 1-15.

Further, Papierniak et al. do not disclose a report generator that generates one or more reports based on the processed Internet access time. The examiner cited the passage at column 9, line 5 through column 10, line 60 as disclosing this feature. However, no such report is disclosed in this passage. The passage does describe how the disclosed system is used by ISPs to provide information to their hosted business customers ("subscribers") to drive e-commerce decisions. The data provided to users of the system helps these users understand the behavior of the ISP clients, which the users

utilize to improve their operation and services. As pointed out by the examiner, some time data is captured according to the system, as disclosed at column 16, lines 66 and 67. However, this information is collected by the ISP, without interaction with the user, and this data is correlated with other information to help the ISP understand its customers. In contrast, the claimed system functions independently of the ISP, and tracks user access time information only after a successful logon by the user.

For at least the reasons stated above, the Papierniak et al. system does not anticipate the invention recited in claim 1. Claims 2-4 and 7-16 depend from claim 1, and therefore also are not anticipated by Papierniak et al., for the reasons stated above, as well as because of the additional features they recite. For example, claim 2 recites a history module that creates an Internet access history ledger; claim 3 recites a logon module that grants access to the Internet to an active user when the active user provides valid logon information to the logon module; claim 7 recites a transmitter for electronically transmitting selected ones of the reports to respective user clients corresponding to the user client matters; claim 9 recites that the system is disposed on a personal computer utilized by the active user to access the Internet; and claim 10 recites that the system is disposed on a network server that is accessed by the active user for connection to the Internet. None of these features is disclosed by Papierniak et al., and the examiner did not assert that these features are disclosed. The rejection of claims 1-4 and 7-14 should be withdrawn.

Independent claim 15 recites a professional time tracking and reporting method for tracking Internet access time by users and for generating reports based on the access time. The method is practiced in an Internet use environment, wherein the Internet is

accessed by one or more users for purposes related to one or more user client matters. The method includes receiving logon information from an active one of the one or more users, wherein the logon information includes user information and user client information; authenticating the logon information; monitoring each said user's Internet access time during an Internet session; recording the active user's access time corresponding to the URL for each web page accessed by the user; and processing the access time and each said corresponding URL to generate one or more reports, wherein the reports are formatted in accordance with predetermined parameters.

As noted above in discussing the rejection of claim 1, Papierniak et al. do not disclose receiving logon information from an active user. The information cited by the examiner as being logon data is merely search parameters given to an ISP in connection with a URL to specify data to be returned to the user; it is not logon information including user information and user client information, as recited in claim 15. Further, this "logon" information is not authenticated, as recited in claim 15. Still further, the user's Internet access time is not monitored during an Internet session, as discussed above. Further, claim 15 recites that the active user's access time corresponding to the URL for each web page accessed by the user is recorded and processed to generate a report. Papierniak et al. do not disclose this, and specifically state that the data generated by their system relates to specific content being viewed by the ISP customers, such as products and advertisements, and does not relate to the URLs accessed by the users. See column 4, lines 54-67.

This is because Papierniak et al. disclose a method performed by ISPs to gather content-related data from ISP clients to provide to e-commerce customers for research,

who are not interested in the URLs submitted by the ISP clients. Because the e-commerce customers are seeking the data, they are the ones who provide search parameters to the ISP to initiate a session. The process is transparent to the ISP client, whose usage is the target of the data-gathering and therefore would not have to logon to the system.

For at least the reasons stated above, the Papierniak et al. system does not anticipate the invention recited in claim 15. Claims 16, 17, and 23 depend from claim 15, and therefore also are not anticipated by Papierniak et al., for the reasons stated above, as well as because of the additional features they recite. For example, claim 16 recites that each report is based on the access time of a single Internet session; claim 17 recites that each report is based on the access time of a plurality of Internet sessions; and claim 23 recites analyzing a user's Internet access time according to predetermined parameters, and determining an effectiveness of said user's Internet access time, based on the analysis. None of these features is disclosed by Papierniak et al., and the examiner did not assert that these features are disclosed. The rejection of claims 15-17 and 23 should be withdrawn.

The Examiner rejected claims 5, 6, and 18-22 under 35 USC 103(a) as being unpatentable over Papierniak et al. The Examiner stated that Papierniak shows, in Fig. 19, the logon by a customer of an ISP, resulting in a billing ID, a subscriber ID, a date and time ID, and a service ID. The Examiner further stated that the applicants describe as prior art the tracking by professionals of usage and the reporting of the usage to clients. The Examiner asserted that it would have been obvious to one of ordinary skill in the art to use the Papierniak et al. system to assign sessions to an individual client, either

through a billing ID or a subscriber ID, in order to implement known business practices as described by the applicants, in a fashion that serves the needs of the customers of Papierniak et al.

FIG. 19 shows a data structure indicating ISP subscriber information. Presumably, this information is used by the ISP to bill its customers, although the passage describing this figure does not make this clear. See column 24, lines 40-50. In any case, it is known that ISPs keep data on their clients in order to bill them. However, claim 5 recites reports sorted according to user client matters, that is, by particular matters of clients of the users. These are not clients of the ISP, but rather clients of the users. Further, these reports are sorted by client matter, not by client. Further, the reports are generated based on user Internet access time, monitored during a user Internet session, as activated by a logon by the user to the system, which functions independently of the ISP. These features are not disclosed or suggested by Papierniak et al., and the disclosure by the applicants that professionals track time billed to clients does not provide the teaching necessary to render obvious the invention recited in claim 5 based on the limited disclosure of Papierniak et al.

Likewise the teachings of Papierniak et al., taken with the disclosure by the applicants, cannot render obvious the invention recited in claim 6, which recites the reports recited in claim 5, sorted according to the active user. Claim 18 recites generating an invoice, based on the access time corresponding to a user client. As noted above, Papierniak et al. does not disclose any activity or even interest regarding a user client, and therefore no suggestion of the feature recited in claim 18. Claim 19 recites electronically transmitting the invoice to the corresponding user client. Neither

Papierniak et al. nor applicants disclose this as part of the prior art, nor does either disclose printing the invoice of claim 18 and transmitting the invoice to the user client, as recited in claim 20. Claims 21 and 22 recite sorting the reports of claim 15 according to user client matter and according to the active user, respectively. As pointed out above, no combination of the cited teachings discloses or suggests these features.

For at least the reasons noted above, the rejection of claims 5, 6, and 18-22 should be withdrawn.

New claims 24-27 are added. It is respectfully submitted that the features recited in these new claims are not disclosed in the cited references, taken alone or in combination. A check is enclosed in payment of the fee for the excess claims. If the check is missing, or made out for an insufficient amount, please charge any deficiency to our deposit account, No. 501998, and notify us accordingly.

It is respectfully submitted that all rejections have been overcome. It is therefore requested that the Amendment be entered, the claims allowed, and the case passed to issue.

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Date

TMC:lep

Respectfully submitted,



Thomas M. Champagne
Registration No. 36,478
IP STRATEGIES, P.C.
806 7th Street, NW
Suite 301
Washington, DC 20001
(202) 289-2700
(202) 289-3594 fax

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE TITLE:

--Professional Time Tracking and [Recouping] Reporting System [and Software]--.

IN THE WRITTEN DESCRIPTION:

The paragraph beginning on page 3, at line 20:

--The present invention may be deployed on a personal computer, and enabled by a service operator who provides the time tracking and recouping system (i.e., a software [means] implementation). In this implementation, files with web site usage information are sent periodically to the service provider which charges the user of the software based on the amount of time which they spent accessing web sites. The service provider subsequently receives periodic payments for the use of the software. The actual software may be distributed to users free of charge, and revenues can be collected as recurring payments for the use of the system.--

The paragraph beginning on page 4, at line 14:

--A software [means] implementation in accordance with the principals of the present invention, may operate invisibly in the background, recording each entry including all URLs entered and sites visited. The software [means] implementation may automatically record all the Internet activity and corresponding usage time. As an

optional feature, the user may be provided with a capability to disable the functionality of the software, when the user does not wish to track the Internet usage time.--

The paragraph beginning on page 7, at line 12:

--FIG. 1 illustrates a time tracking and recouping system 100 in accordance with the principles of the present invention. The system is employed at a client side represented as the Personal Computer (PC) 101 to be used by a user 103 shown in the upper left-hand corner. In a law firm environment, the principles of the present invention may be implemented as [a] software [means], resident on the lawyer's PC, paralegal's PC, or a centralized PC (i.e., a library PC). The software may be used to track attorney, paralegal and other professional's research time on the Internet. This may be accomplished by providing functionality that requires the lawyer or other professional to logon and enter a client matter number before using the PC to access the Internet.--

The paragraph beginning on page 9, at line 17:

--One feature of the system is the ability to generate revenue for the time tracking services. As shown in FIG. 1 a time tracking service provider 115 may employ [a] software [means] or a system that provides a service to be used by user 103 to recoup the cost of the research activity from the client. This may be accomplished by transmitting a file from the user 103 to the time tracking service provider 105 indicating the amount of time spent on the Internet. The transmitted file may be a copy of the record created by the system 100 at the user PC 101. The time tracking service provider 115, in an automated fashion, via the use of a personal computer (PC) 117 may generate an invoice

for the user 103 who then pays the time tracking service provider 115 for this time tracking and recouping service system and software.--

The paragraph beginning on page 10, at line 12:

--In one embodiment, [a] software [means] in accordance with the principles of the present invention resides on the user's PC 101 that automatically transmits the Internet access history of the Internet usage using an Internet File Transfer Protocol (FTP). This may occur in real-time while the user accesses the Internet. Alternatively, the transmission of the Internet access history ledger to the service provider may occur on a daily/weekly/monthly basis during off-peak hours. Preferably, the Internet usage data is collected for one Internet session (i.e., from the time the user logs on to the time when the user logs out).--

The paragraph beginning on page 18, at line 3:

--FIG. 9 [illustrates] is a flowchart for the revenue calculation function in accordance with the principles of the present invention. Generally, the revenue calculation function takes place through software operating at the client side, which may be the lawyer or other [professional] professional's site. The software [means] or other [means] implementation on the client side retrieves the data in step 910 from a storage location and transmits the data in step 920. In this embodiment, the data is transmitted as an FTP file containing all the relevant information regarding different Web sites the professional has accessed and the time [for] spent on each site. Generally, the FTP transmission takes place transparent to the user [while the user] and may occur in real-

time while the user is accessing Web sites. As an example, the data maybe collected and transmitted for each Internet session (i.e., each time the user logs on to the Internet and searches on the Internet, the session ends when the user logs out). Alternatively, the data may be collected for a plurality of Internet sessions to the appropriate data processing means, for example, the usage time may be collected and transmitted on a daily, weekly, bi-weekly or monthly basis.--

IN THE CLAIMS:

1. (Amended) In an Internet use environment, wherein the Internet is accessed [and used] by [a user] one or more users for purposes related to one or more user client matters, a professional time tracking and [recouping] reporting system for tracking [usage] Internet access time by each said user and for [creating] generating reports based on the [usage] access time, the system comprising:

a tracker [for tracking the usage] that monitors each said user's Internet access time [by the user in one] during an Internet session, wherein [the functionality of] the tracker is [automatically launched upon] activated by a [success] successful logon by an active one of the one or more users [user];

a processor [for processing the usage] that processes each said user's Internet access time; and

a report generator [for generating] that generates one or more reports based on the processed [usage] Internet access time;

wherein the system functions independently of an Internet service provider that provides the Internet access to the user.

2. (Amended) The system of claim[,]¹, further comprising a history module [for creating] that creates an Internet access history ledger.

3. (Amended) The system of claim 1, further comprising a logon module [for authenticating the user identification] that grants access to the Internet to an active one of the one or more users when the active user provides valid logon information to the logon module.

4. (Amended) The system of claim 1, wherein the one or more reports [are] include information based on one or more pre-determined parameters.

5. (Amended) The system of claim 1, wherein the reports are sorted [by] according to the user client matters.

6. (Amended) The system of claim 1, wherein the reports are sorted [by the user identification] according to the active user.

7. (Amended) The system of claim 1, further comprising a transmitter for electronically transmitting selected ones of the reports to respective user clients corresponding to the user client matters.

8. (Amended) The system of claim 1, further comprising a printer for printing the reports [to be subsequently transmitted to the client].

9. (Amended) The system of claim 1, wherein the system [functionality resides] is disposed on a personal computer [of] utilized by the active user to access the Internet.

10. (Amended) The system of claim 1, wherein the system [functionality resides] is disposed on a network server [to be] that is accessed by the active user for connection to the Internet.

11. (Amended) The system of claim 1, wherein the system [functionality] is [realized by] implemented as software [means] provided on a storage medium, to be executed by a computer.

12. (Amended) The system of claim 1, wherein the [usage time is based on] tracker monitors each said user's Internet access time over a plurality of Internet sessions.

13. (Amended) The system of claim 1, further comprising an analyzer [for analyzing] that analyzes a said user's Internet access [the usage] time according to predetermined parameters.

14. (Amended) The system of claim 13, wherein the analyzer further determines [if the] an effectiveness of said user's Internet access time, based on the analysis [is used effectively].

15. (Amended) In an Internet use environment, wherein the Internet is accessed by [user] one or more users for purposes related to one or more user client matters, a professional time tracking and [recouping] reporting method for tracking [usage] Internet access time by each said user and for [creating] generating reports based on the [usage] access time, the method comprising:

receiving [a] logon [request] information from an active one of the one or more users, wherein the logon information includes user information and user client information [user];

authenticating the [user login ID and password] logon information;

[launching a time tracking function upon a successful user logon] monitoring each said user's Internet access time during an Internet session;

recording the [usage] active user's access time [associated with each] corresponding to the URL [visited] for each web page accessed by the user; and

processing the [usage] access time and each said corresponding URL [data] to [create] generate one or more reports, wherein the reports are formatted in accordance with predetermined parameters.

16. (Amended) The method of claim 15, wherein each said report is based on the [usage] access time [data is based on] of a single Internet session.

17. (Amended) The method of claim 15, wherein each said report is based on the [usage] access time [data is based on repeated for] of a plurality of Internet sessions.

18. (Amended) The method of claim 15, further comprising generating an invoice, based on the [usage] access time [data, to be transmitted to the] corresponding to a user client.

19. (Amended) The method of claim 18, [wherein the invoice is] further comprising electronically [transmitted] transmitting the invoice to the corresponding user client.

20. (Amended) The method of claim 18, [wherein] further comprising printing the invoice [is printed via a printer] and [subsequently transmitted] transmitting the invoice to the user client.

21. (Amended) The method of claim 15, further comprising sorting the reports [by the] according to user client matter.

22. (Amended) The method of claim 15, further comprising sorting the reports [by the] according to the active user [identification].

23. (Amended) The method of claim 15, further comprising analyzing [the usage] a said user's Internet access time [data] according to predetermined parameters, [to determine if the] and determining an effectiveness of said user's Internet access time, based on the analysis [is used effectively].

24. (New) The system of claim 1, wherein the system is disposed on a system service provider's computer that communicates with the user via the Internet.

25. (New) The system of claim 3, wherein the valid logon information includes user identification information and user client information.

26. (New) The system of claim 25, wherein the user client information includes client matter information.

27. (New) The system of claim 4, wherein the pre-determined parameters include user client information.